

JOSEPH & KIRSCHENBAUM LLP

Attorneys at Law

Charles Joseph
D. Maimon Kirschenbaum
Denise Schulman
Josef Nussbaum
Lucas C. Buzzard
Mike DiGiulio
Leah Seliger

32 Broadway, Suite 601
New York, NY 10004
Phone (212) 688-5640
Fax (212) 688-2548
www.jk-llp.com

May 27, 2022

VIA ECF

Hon. Jesse M. Furman
United States District Judge
U. S. District Court for the Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: *Pasquarello v. Crothall Healthcare, Inc., et al.*
Index No. 21 cv 8732

Dear Judge Furman:

We represent Plaintiff Joseph Pasquarello (“Plaintiff”) in the above-referenced action against Defendant Crothall Healthcare, Inc. (“Defendant Crothall”) and Defendant Michael Roche (“Defendant Roche,” together with Defendant Crothall, the “Defendants.” Defendants and Plaintiff, together, the “Parties.”). In accordance with Section 1.F of the Court’s Individual Practices in Civil Cases, we write to respectfully request that the Court extend two deadlines.

First, we request a one-week extension of time to file Plaintiff’s Response to Defendants’ Motion to Compel Arbitration (Dkt. #20-22) (the “Motion”). In light of the recent Supreme Court case, *Morgan v. Sundance, Inc.*, 596 U.S. ___ (2022), the Parties have conferred regarding the Motion, and Defendants have consented to a one-week extension of time for Plaintiff to file his Response while the Parties continue to discuss a potential resolution. Plaintiff’s Response is currently due May 31, 2022. The new deadline, if granted by the Court, would be June 7, 2022. This is Plaintiff’s first request for an extension of this deadline.

Second, the Parties request an extension of the fact discovery period for 45 days (until July 22, 2022) for the purpose of allowing the Parties to address discovery deficiencies and conduct depositions a reasonable time after the production of all documents by all of the Parties. The Parties have conferred regarding the scheduling of depositions and Defendant deponents are not available prior to the expiration of the current discovery deadline.

The discovery deadline for all fact discovery set by Court order (Dkt. #18) is currently June 8, 2022. Defendants and Plaintiff have conferred and have agreed to stipulate to an extension of the fact discovery deadline through July 22, 2022, with the Court’s permission. This

is the Parties' first request for an extension of the fact discovery period. An extension of time to conduct discovery will affect other deadlines enumerated in the Court's Scheduling Order (Dkt. #18). Thus, we have attached a proposed revised Scheduling Order to this letter motion as Exhibit A.

Respectfully submitted,

JOSEPH & KIRSCHENBAUM LLP

/s/ D. Maimon Kirschenbaum

D. Maimon Kirschenbaum

Leah Seliger

32 Broadway, Suite 601

New York, NY 10004

(212) 688-5640

maimon@jk-llp.com

leah@jk-llp.com

Attorneys for Plaintiff

Cc: All counsel via ECF